

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE ANNUITY, PENSION, WELFARE and APPRENTICESHIP  
SKILL IMPROVEMENT AND SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO by its  
TRUSTEES EDWARD KELLY, JEFFREY LOUGHLIN,  
PETER PATERNO, ROSS PEPE, NICHOLAS SIGNORELLI and  
NICHOLAS SIGNORELLI, JR., and JOHN and JANE DOE,  
as Beneficiaries of the ANNUITY, PENSION, WELFARE and  
APPRENTICESHIP SKILL IMPROVEMENT AND SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 137, 137A, 137B, 137C & 137R,  
AFL-CIO,

**ORDER TO SHOW  
CAUSE FOR A  
DEFAULT JUDGMENT**

07-CIV-3698 (WCC)

Plaintiffs,

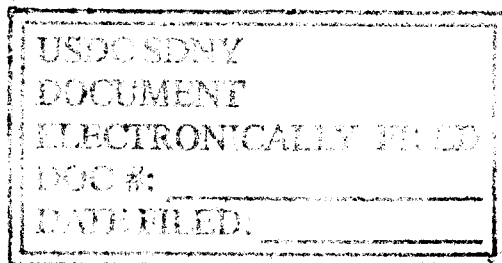
-against-

DANIEL A. BUDD EXCAVATING & CONTRACTING, LLC  
and BUDD BROTHERS CONSTRUCTION, INC.,

Defendants.  
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Upon the annexed Application for a Default Judgment including the Affidavit of James  
M. Steinberg, Esq. sworn to on the 9<sup>th</sup> day of July, 2007, and the exhibits attached thereto, it is

**ORDERED** that Defendants DANIEL A. BUDD EXCAVATING & CONTRACTING,  
LLC AND BUDD BROTHERS CONSTRUCTION, INC. show cause before the Honorable  
William C. Conner, at the United States District Courthouse, located at 300 Quarropas Street,  
Courtroom 620, White Plains, New York on the 7<sup>th</sup> day of Sept., 2007, at 11:15  
a.m./p.m. or as soon thereafter as counsel can be heard why an order should not be made herein  
for the entry of a Default Judgment against Defendants DANIEL A. BUDD EXCAVATING &  
CONTRACTING, LLC and BUDD BROTHERS CONSTRUCTION, INC. in the amount of



\$28,779.83, together with such other and further relief as this Court may deem just, proper and equitable.

**IT IS FURTHER ORDERED** that service of a copy of this Order *via* express overnight mail service, along with the Plaintiffs' Application for a Default Judgment and of the papers upon which the same is granted, on Defendants DANIEL A. BUDD EXCAVATING & CONTRACTING, LLC and BUDD BROTHERS CONSTRUCTION, INC. at 10 Charles Street, *will* Suite 3, Pleasant Valley, New York 12569, on or before July 18, 2007, shall be sufficient service of this Order.

✓ Dated: White Plains, New York  
July 16, 2007

✓ SO ORDERED:

William C. Conner  
The Honorable William C. Conner  
Senior United States District Judge